

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

US BANK TRUST NATIONAL ASSOCIATION,
NOT IN ITS INDIVIDUAL CAPACITY BUT
SOLELY AS OWNER TRUSTEE FOR
VRMTG ASSET TRUST

PLAINTIFF

v.

BENJAMIN CAMPO, ESQ. AS SPECIAL
ADMINISTRATOR OF THE ESTATE OF
MICHAEL C. KANE

DEFENDANT

and

TOWN AND COUNTRY FEDERAL CREDIT
UNION

PARTY IN INTEREST

Case No. 2:19-CV-00311-NT

PLAINTIFF'S MOTION TO CONTINUE

Plaintiff US Bank Trust National Association, Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust (“Plaintiff”), by and through counsel, respectfully moves for an order continuing the scheduled foreclosure trial in this matter. In support of its Motion Plaintiff further states as follows:

The Court (Nivison, Mag. J.) set this matter on the trial list for September 5, 2023 and set a series of pretrial deadlines for the parties (ECF 78). After those dates were scheduled, Defendant filed an unopposed motion to continue the pretrial dates on the grounds that his authority as Special Administrator had been terminated. (ECF 79) The York County (Me.)

Probate Court has determined that the Estate of Michael C. Kane is now the responsibility of Personal Representative Virginia O'Brien. *Id.*

The Court granted Defendant's motion, continued the pretrial dates, and directed the parties to file a motion to continue in the event they did not believe this case would be ready for trial by September. (ECF 80) Plaintiff is now filing that motion. Plaintiff expects to amend the complaint and timely serve new party Virginia O'Brien. Under the circumstances, since that process can be expected to take several weeks (followed by potential discussions about resolving this matter short of foreclosure), and since Attorney Campo (representing Defendant) is departing this case and the new Personal Representative has not appeared, Plaintiff is not prepared to bring this matter to foreclosure trial at this time.

WHEREFORE, Plaintiff respectfully requests that this Court grant Plaintiff's motion and continue any scheduled foreclosure trial in this matter until such time as all parties are able to request that this matter proceed.

Dated: July 24, 2023

By:/s/ Andrew J. Schaefer

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was filed electronically, and served by mail on anyone unable to accept electronic filing, on the date of this motion. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Andrew J. Schaefer, Esq.